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15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 U.S. EQUAL EMPLOYMENT OPPORTUNITY) Case No.
18 COMMISSION,)
19)
20 Petitioner,) **PETITIONER EEOC'S APPLICATION**
21) **TO SHOW CAUSE WHY ITS**
22 v.) **SUBPOENA SHOULD NOT BE**
23) **ENFORCED**
24)
25 SBEEG HOLDINGS, LLC dba HYDE) Date: _____, 2018
26 BELLAGIO, SPOONFUL MANAGEMENT LV,) Time: _____ a.m. / p.m.
27 LLC,) Judge: _____
28 Respondents.) Courtroom: _____
)

25 1. This is action for enforcement of subpoenas *duces tecum*, pursuant to Section 710
26 of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et. seq. ("Title VII").
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28

1 2. Jurisdiction is conferred upon the court by Section 706(f)(3), 42 U.S.C. § 2000e-
2 5(f)(3), and by Section 11 of the National Labor Relations Act, 29 U.S.C. §161, as amended,
3 incorporated in Title VII.

4 3. Petitioner United States Equal Employment Opportunity Commission
5 (“Petitioner”) is a federal agency charged with the administration, interpretation and enforcement
6 of Title VII, including, *inter alia*, the investigation of charges of unlawful employment practices,
7 and is authorized to bring this action pursuant Title VII.

8 4. Respondent SBEEG Holdings, LLC dba Hyde Bellagio is a corporation that owns
9 and operates the Hyde Bellagio nightclub in the State of Nevada. Respondent Spoonful
10 Management LV, LLC is a corporation in the State of Nevada that employs the individuals that
11 work in the Hyde Bellagio nightclub.

12 5. Respondents are employers within the meaning of Title VII.

13 6. On July 31, 2017, pursuant to its authority under 29 U.S.C. §161, incorporated in
14 Title VII, Petitioner issued Subpoena No. LV-17-03. The Subpoena requires Respondents to
15 produce information needed as part of Petitioner’s investigation of a charge of systemic sexual
16 harassment and retaliation, as alleged in Charge No. 487-2017-00358. Respondents received the
17 Subpoena on or about September 18, 2017.

18 7. Respondents have failed to comply with the Subpoena. The EEOC is authorized
19 to seek court aid to compel Respondents’ compliance with the Subpoena. 29 U.S.C. § 161(2),
20 incorporated into Title VII by § 42 U.S.C. § 2000e-9.

21 8. The accompanying EEOC’s Memorandum of Points and Authorities in Support of
22 Application for Order to Show Cause; Declaration of Counsel and Exhibits, filed concurrently
23 herewith, provide factual support for this Application. The EEOC’s Memorandum of Points and
24 Authorities, Declaration of Counsel, and supporting exhibits are incorporated by reference into
25 this Application.

26 WHEREFORE, the EEOC prays:

- 27 (a) That the Court issue an Order directing Respondents to appear before this Court
28 and to show cause, if any, why an Order should not be issued directing
 Respondents to comply with the subpoena;
- (b) That, upon return of the Order to Show Cause, an Order issue directing
 Respondents to comply with the subpoena; and

1 (c) That the EEOC be granted its costs and such further relief as may be necessary
2 and appropriate.

3
4 Dated: July 5th, 2018

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

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6 By: /s/ Nechole Garcia
7 NECHOLE GARCIA
8 Attorney for Plaintiff EEOC
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